

EDGEFIELD COUNTY COUNCIL
Minutes
November 2, 2004

The regular meeting of the Edgefield County Council was held at 6:00 P. M. Tuesday, November 2, 2004, in the County Council Chambers, 225 Jeter St., Edgefield.

Members present

C. Monroe Kneece, Chairman
Willie C. Bright, Vice Chairman
Norman Dorn, Councilman
Joel D. Hudson, Councilman
B. Everette Kitchens, Councilman

Others present

Wayne Adams, County Administrator
John F. Byrd, County Attorney
Barbara R. Stark, Clerk to Council
and per list attached

Chairman Kneece called the meeting to order and Ms. Essie Nicholson gave the invocation. The Pledge of Allegiance was recited after the invocation.

At this time, the Chairman asked for a motion to go into executive session concerning a legal matter. Motion was made by Councilman Dorn to go into executive session and return to regular session at the discretion of the Chairman. Ms. Linda Edwards, Attorney, was present to brief the Council on the legal matter. There was no action taken in executive session.

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A motion was made by Councilman Bright, seconded by Councilman Dorn, to approve the Minutes of the October 5, 2004, Edgefield County Council Meeting. Councilman Kitchens asked that the comments made from the audience attending the October 5th meeting be transcribed verbatim and made a part of the minutes. Councilman Bright withdrew his motion. This will be done for the December 7th meeting.

Reports

There were no questions concerning the reports.

Ordinances

Motion was made by Councilman Hudson, seconded by Councilman Kitchens, to approve second reading of Ordinance No. 04-05-550, "An Ordinance Adopting the 2003 International Building, Fire, Plumbing, Mechanical, Fuel, Gas and Energy Efficiency Codes, and the 2003 International Residential Code Relating to Inspection Activities for Enforcement of the Provisions of said Codes." Motion carried unanimously.

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Motion was made by Councilman Kitchens, seconded by Councilman Hudson, to approve second reading of Ordinance No. 04-05-551, "An Ordinance Authorizing the Issuance and Sale of General Obligation Bonds, Series 2004B, or Such Other Appropriate Series Designation, of Edgefield County, SC, in the Principal Amount of Not Exceeding \$500,000; Fixing the Form and Details of the Bonds; Authorizing the County Administrator or His Lawfully Authorized Designee to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Matters Relating Thereto." Motion carried unanimously. An agreement under resolutions (Res. No. 04-05-271) explains the distribution of these funds for improvements at the hospital, which will come the millage increase for the hospital. Motion carried unanimously.

Motion was made by Councilman Bright, seconded by Councilman Kitchens, to approve second reading of Ordinance No. 04-05-552, "An Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for Edgefield County, SC." Motion carried unanimously.

Motion was made by Councilman Dorn, seconded by Councilman Kitchens, to approve first reading of Ordinance No. 04-05-554, "An Ordinance Authorizing the Execution and Delivery of Not Exceeding \$1,500,000 in Principal Amount of a Hospital Revenue Bond (The Edgefield County Hospital Project) of Edgefield County, South Carolina; Providing for the Form and Details of the Bond; Providing for the Disposition of the Proceeds Thereof; and Other Matters Related Thereto." Motion carried unanimously.

Resolutions

Councilman Kitchens made the motion to accept Resolution No. 04-05-271, "A Resolution Providing for a Repayment Agreement Pertaining to a Loan for Capital Improvements in the Amount of Five Hundred Thousand Dollars (\$500,000) to Edgefield County Hospital, With the Loaned Amount Coming from the Net Proceeds of a General Obligation Bond Debt Issue of Edgefield County." The motion was seconded by Councilman Hudson, and carried unanimously. This resolution provides for repayment of the \$500,000 loan made by the County to the Hospital.

Motion was made by Councilman Kitchens, seconded by Councilman Dorn, to approve Resolution No. 04-05-272, "A Resolution Authorizing the Execution and Delivery of an Inducement Agreement By and Between Edgefield County, SC and the Edgefield County Hospital, Whereby Under Certain Conditions, Edgefield County Will Issue Its Hospital Revenue Bond in an Amount Not Exceeding \$1,500,000." Motion carried unanimously.

Motion was made by Councilman Hudson, seconded by Councilman Dorn, to approve Resolution No. 04-05-273, "A Resolution Authorizing Application to the State Budget

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and Control Board of South Carolina for the Approval of the Issuance by Edgefield County, South Carolina, of Its Not Exceeding \$1,500,000 Hospital Revenue Bond (S) (The Edgefield County Hospital Project) Pursuant to the Provisions of Title 44, Article 11, Chapter 7, Code of Laws of South Carolina 1976, as Amended.” Motion carried unanimously.

New Business

Audit

Edgefield County’s annual external audit report for Fiscal year 2003-04 was presented to Council by Ms. Laurie Smith, CPA, with Elliott Davis, LLP. Ms. Smith briefly highlighted the audit and stated that this is the second year of implementation of the new reporting model for the county. If after you all have viewed the report and you have questions, please feel free to give Elliott Davis a call and someone will be glad to meet with any of the council to discuss any issues you might have. On pages one and two is the audit opinion from Elliott Davis expressing a clean opinion on Edgefield County’s financial statement. In accounting terminology we call it an unqualified opinion which means it is a clean opinion on your financial position as of June 30, 2004, for the fiscal year. Ms. Smith informed Council that on pages three through nine is information on exactly where the county stood on June 30, and the results of operations for the year. These pages give any overall view of what happened during that year. She continued with various pages of the audit. Councilman Kitchens asked Ms. Smith what she saw through this audit that the council could do to improve the audit or save money. She stated there is a generic comment in there about cash management. I think that is something that should always be asked of a permanent banking relationship because there are a lot of times there are ways you can maximize your returns on deposited funds. Ms. Smith referenced the refinancing of bonds and offered to meet with Council and staff to discuss this matter more thoroughly.

Digital mapping

Mr. Lew Lapine, Chief of SC Geodetic Survey, SC Budget & Control Board was recognized by the Chairman. Mr. Lapine was present concerning the selection of a firm to conduct the digital mapping project for Edgefield County. Mr. Adams introduced Mr. Lapine and explained that he was at the meeting to answer any questions. These proposals are highly technical and he knows a lot about the differences between and among them. The proposals were rated by Sally Fox and Keisha Bryant (Tax Assessor’s office) to determine which one was offering the best value to the county. Mr. Lapine was here in September to talk about this project and how the county would move to digital mapping, and how that might enable us in the future to get to a geographic information system (GIS), which is a great asset in planning many activities in county government. Fourteen proposals were received for this mapping project. The average costs of these proposals were \$65,894 and the average rating score was seventeen.

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The firm that staff has recommended is Kucera and their price is about \$900 above the average but it is rated significantly higher than the average rating of seventeen. It received the highest number of points – twenty six (26) out of a possible thirty (30).

There are several points about the particular proposal that we found to be exceptional. One of these is that it uses more ground control points than any of the other proposals that were offered. And that means that you can remove errors and distortions from the photographs as you process them. Mr. Adams asked Mr. Lapine what that would mean to someone who is a tax researcher. Mr. Lapine said that he and one of his staff members evaluate about thirty different criteria in these proposals. And one of the more important ones is how much ground control they will use in this mission. What they do is that we come in first and put brass disks in the ground to verify precise longitudes and latitudes. Then the mapping firm put large X's of plastic on top of them so in the scale of the photograph they can recognize where those points are. The more points they have in their series of photographs the more accurately they can make the photograph represent the ground. It is a very costly part of the process.

Another thing is the accuracy standards. The county only required the national map standard but Kucera meets the ASPRS standard. Mr. Adams asked Mr. Lapine if he could talk about the 8 ft accuracy at the 400 scale, and what that means. Mr. Lapine said there are two mapping scales that will be used in the county. The rural areas will be mapped on scale of 1" at 400 ft. For engineers that is 1 to 4800 scale. The National Map Accuracy Standard is 10 ft. So any point that you might select in this geographic system we would guarantee to be within 10 ft of its true position on the ground. Now as to the scale of the photograph, that is like a tenth of a millimeter. A very, very small amount on the map to be 10 ft on the ground. And that meets not only our standard for state mapping, it also meets the Department of Revenue standards for taxation purposes. Councilman Dorn asked does not the longitude and latitude cause some distortion that you may not get a precise measurement? An accurate map has to be made from the picture taken by an airplane flying about two miles above the surface of the earth. The plane may be tilted some and the lens in the camera isn't ground exactly perfect. So there is distortion in that image that has to be removed in order to make that map match the ground. That can be done through a lengthy process called rectification. That is where we take measurements in the photograph and compare them to their normal locations on the ground – many, many, thousands of them. But the base layer starts with the 39 points that Kucera is going to use. Now that is the National Mapping standard that will exceed the state requirements. Kucera has offered the American Society of Photogrammetry Standard, which is about an 8 ft accuracy at that scale. Not only that, but Kucera has to demonstrate that accuracy at a minimum of twenty points throughout the county. Now, we will come back and measure several hundred points throughout the county and compare them to the map. The fact is that Kucera is going the extra mile to at least do twenty sample points to

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approve the loss of their map-to-meet the accuracy. Eight feet, ten feet, that is 20%; so you are getting maps that are guaranteed to be 20% more accurate than the original specification called for.

Mr. Lapine said that his initial estimate was \$250 a map sheet; this bid comes in at \$248. To convert a photograph to a digital project, it has to be scanned by a scanner that is much, much more sensitive than a regular computer scanner. What Kucera is offering to do is scan at twice the resolution of any of the other companies. The finer the scan of the documents the finer the images will look on your computer. It means that you will see the white stripes in parking lots; you will see the seams in the sidewalks, where with the regular standard scanning image you just would not see that.

A brand new technology is LIDAR (Light Detection and Ranging). In addition to the camera there is a very powerful laser that is carried in the airplane. It sends out millions of beams of laser, which reflect back to the airplane. That, combined with global positioning system, gives you a very accurate model of all of the peaks, deep valleys, and ridges of the county. Those also cause some distortion in the photography which can be better removed when you use LIDAR than with a traditional sampling technology. They are offering to give that extra sampling rate. Mr. Lapine said that he had pointed out to Mr. Adams "That's good, better for you, but also at some point in time FEMA will want to produce new flood maps for Edgefield County and this will be a real enticement to them to have this LIDAR data because they need the finest areas of the county in order to know how the water will flow.

Kucera has about six projects completed in this state and is probably working on about three more at the present. Mr. Lapine said that when their data comes into his office, when any mapping firm data comes in, we look at it first. We quality control every part of it before you get it. Sometimes we reject data. Kucera on the whole, when their data comes in, it is quality controlled rapidly; it sees the specs and the county gets the data on it much quicker. It also helps Mr. Lapine because his staff does not have to go over and over rejected information. Kucera has a very good track record in this state.

Councilman Hudson made the motion to use Kucera to conduct the digital mapping project. Motion seconded by Councilman Bright. The motion carried unanimously.

Hospital Board appointment

An appointment to the hospital board, due to the resignation of Mr. Frank Feltham, will be considered at the December 7th Council meeting. This was the consensus of Council.

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Christmas Bonuses

Last year (2003) full-time employees received a bonus of \$75 and part-time employees received \$50. Councilman Kitchens asked what the total would be for the bonuses and if it is in the budget. The Administrator stated that the funds for this are traditionally taken from Account 100-279. The \$75 for full-time employees and \$50 for part-time employees, including all taxes applicable, total \$10,496. Motion was made by Councilman Dorn to retain the same bonuses as last year. The motion was seconded by Councilman Bright. Motion carried unanimously.

At this point the Chairman advised Council of the School Board/Council meeting scheduled for Wednesday, November 10th at the Sertoma Club in Johnston.

Relocation of certain offices

The Chairman asked the Administrator for a report on this agenda item. "Council budgeted \$75,000 to renovate the current administrative offices before there was any consideration of moving offices. It was Council's consensus that any moving and repairs/renovations be done within the cap of that amount. I conferred with bond counsel and it is fine to use this money for all the purposes listed. There is a list of modifications to the administration offices that would accommodate the magistrate's court. As I understand from Howard, this cost would be somewhat less than what was planned for the administration offices, partially because they would not need an air lock at the front. So \$49,000 of the \$75,000 would be used to replace the windows, sills and casing; level the floor; install a new wall; cover and paint the panel; install all new carpet; and various other things. There is budgeted a contingency of about 10%.

Then there would need to be some modifications to the existing Probate Court if the administration offices were to move there, totaling some \$9,500. We also have some telephone and computer communication issues to address for as moving those lines – about \$5,000. Of course, we will use our own employees to do the move and we have to figure in the hourly costs for those employees. The total for all this would come to \$67,855, an estimated amount, which is under the \$75,000 cap. There were some concerns expressed by the Magistrates at the October 21st meeting of Council on this issue. We believe those concerns are addressed in the proposal. Judge Parkman acknowledged this statement and understood that the concerns had been addressed and, also stated that he and Mr. Gibson had spoken briefly and Mr. Gibson assured Judge Parkman that the renovations to the administration building that would be needed by the Magistrates could be done. The Council is in receipt of a letter signed by both Magistrates stating that they do desire to be in the current administration building.

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Councilman Bright has asked that the issue of placing a wall between the Archives and the Probate office be addressed once again. The Administrator asked Howard Gibson to talk a little on this in regards to the code, particularly the fire code. Mr. Gibson said that the main problem is if we put the wall up we are violating the fire code. A lot of ADA requirements would have to be addressed. Once we put the wall up you change what is called the common path of exit, which is limited to seventy-five feet in distance. The furthest point in the Archives is actually one hundred and twenty some odd feet. In that respect the fire code would be violated, and we would also do away with public restroom facilities in one of the two areas. Something there would have to be worked out. ADA accessibility could cost approximately \$16,000 to \$17,000. Mr. Gibson stated that he had talked with several fire marshals and all agreed there isn't much that could be done to get around the fire code without actually putting another exterior exit out of the building. That would have to come out of the vault section because that is the only exposed area that would exit the building.

The chairman inquired as to what happened about the three-way trade that had been discussed. Councilman Kitchens replied "I don't think we are ready to accept any of this. We are looking at \$49,000 to put the building next door in shape for the magistrate's court. Now, the \$75,000 that was approved for that building is in the budget, and it appears to me that about \$25,000 of the \$49,000 is moving walls around and putting windows in and a lot of things for the Magistrate. If you take all of that out, like leveling the floor, that is \$10,000. If you take all of that out we are looking at about \$24,000 needed, hopefully to put that building back in shape for the present people that occupy that building. The Probate Court: we have to spend \$9,500 there if we move; we will spend \$5,000 to move the communications, plus we have the truck and the people to do the moving. If we don't move, we will save \$37,000. I think we should look at some other alternatives to save this money because I just believe that there are some things that might be done to alleviate the problem without all of this. So my suggestion, if you want a motion, I will make the motion that we maybe have a work session on personnel and whatever we want to include in this and take items like this into consideration. Councilman Dorn seconded the motion and the motion carried unanimously. Judge Parkman asked if they could attend the work session and make comments. Chairman Kneece said yes. Councilman Hudson asked if Council could get a price on how much it would cost on how much it would cost to change out just the administrator's office and the probate judge's office. That might save us the \$49,000 (if the magistrate is satisfied where he is) Councilman Kitchens' reply to Mr. Hudson was he thought they were looking at \$9,500, plus we would have to look at \$7,500 for security. So we are looking at \$16,500 versus \$67,855, without any modifications to the current administration building. These two buildings are comparably the same square footage.

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Merriwether Community Center (not an agenda item)

Referring to the Merriwether Recreation Development fund, Councilman Hudson requested \$10,000 for the Merriwether Community Center from the recreation account. The Community Center is in need of some repairs. Mr. Hudson stated that he understands there is \$34,975 in the account - \$7,101 is available from last year and this year. Chairman Kneece made the motion to approve the \$10,000 for the Community Center with the balance being taken from escrow. Motion seconded by Councilman Dorn. Motion carried unanimously.

Old Business

Councilman Kitchens asked to bring an Old Business item to the floor. "In December 2002, we were talking about the Trenton airport. We still haven't settled it. Forget about the lawyers – I think we need to take another route. We are sitting on a piece of property there that is too expensive to mess around with a bunch of lawyers that will not give us an answer. I don't know what the next step is – whether we have to go to court or what we have to do – but we have a \$300,000 piece of property that we are not getting anything out of. It is time to change.

Chairman Kneece asked Mr. Byrd (County Attorney) what can we do? "Mr. Chairman I have had to recuse myself on that issue because of my role in the original lease. It is in the hands of the counsels for both parties. Where they stand I do not know." Plane Fun is still operating under the old lease which the county contends is not valid. As it is understood, both sets of counsel are close to a common lease agreement – a lease that would be legal, one that would involve an ordinance that would require three readings and a public hearing. That is one option, to have the lease ironed out and all of the deficiencies cured. The other option is to seek a declaratory judgment simply declaring the lease null and void and then the property would revert back to the County. Mr. Adams stated that he has suggested that since so much time has intervened since second reading that the reading process will have to begin again and we will have to have a public hearing. Councilman Hudson felt that since both sides have put a lot of time and money into the issue, they should be given a chance. The chairman asked for a motion. The Administrator offered to advise both sets of attorneys that council wants their final version for the December meeting. Consensus of the council was to allow the Administrator to ask for a final version of the legal matter for the December meeting.

Councilman Dorn brought to Council's attention that Ms. Essie Nicholson and Ms. Stephanie Garrett have a project that Mr. Dorn feels is similar to Councilman Hudson's request, though not \$10,000. As soon as Ms. Nicholson and Ms. Garret get the lease taken care

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of on a place to house this project he would like council to advocate some funds toward this project. Also on Post 209 on Macedonia Street in Edgefield. Just general information at this time.

Guests

Mr. Rick Greene with Upper Savannah COG, informed Council that since the Plum Branch Waterline project has been completed and closed out maybe you all would like to start thinking about potential water, sewer, housing projects for next time. Upper Savannah will not know until January the exact dates for the projects (application deadline). Mr. Kneece asked if there was anything available on rural housing. Rick said this grant could potentially cover that – CDBG for next year. Mr. Kneece feels something should be done for the county instead of putting all grant funds into the cities.

Pete Sherlock asked to address Council concerning Judge Peeler – “not in defense of him and not knowing what really went on or didn’t go on. That really does not concern me.” Mr. Sherlock regretted not being able to attend the last meeting. Mr. Sherlock was advised by the chairman and also the county attorney that because this matter is in litigation it would not be discussed.

Mr. Davis Parkman, Chief Magistrate, informed the council he felt that the entire courthouse should be looked at for some type of security. Mr. Kitchens thanked Mr. Parkman and agreed with him.

Claims approved as follows:

A.	PAYROLL:	9/27/04 thru 10/10/04	
	Regular.....		\$171,456.11
	PAYROLL:	10/11/04 thru 10/24/04	
	Regular.....		\$170,037.89
B.	General Operating.....		\$625,591.98

There being no further business, a motion to adjourn was made by Councilman Bright. The next regular meeting will be held at 6:00 P. M. Tuesday, December 7, 2004.

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ATTEST

Barbara R. Stark, Clerk to Council